

# Exhibit 3

**From:** [Carter Frambes](#)  
**To:** [Margaret Galka](#)  
**Subject:** RE: Totten v. Benedictine  
**Date:** Thursday, February 2, 2023 12:30:32 PM  
**Attachments:** [image001.jpg](#)

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Margaret,

See responses below:

1. We have previously produced documentation from Marco Masini to Marquis Dixon regarding the outcome of the investigation. Should anything else be uncovered, we will produce it.
2. Benedictine has searched for these documents but has not located any such documents to date. Should these documents be located, they will be produced.
3. Benedictine has searched for communications with the individuals listed in your email. We have produced the documents that have been located. Should additional responsive documents be located, they will be produced.

I have advised the University to continue searching for the handwritten reports and that should they locate them, they are to send to me immediately. They have not been located as of this time.

Best regards,  
Carter Frambes

**Carter R. Frambes** | Associate | Tressler LLP  
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**From:** Margaret Galka <[mgalka@collinslaw.com](mailto:mgalka@collinslaw.com)>  
**Sent:** Thursday, February 2, 2023 10:49 AM  
**To:** Carter Frambes <[cframbes@tresslerllp.com](mailto:cframbes@tresslerllp.com)>  
**Subject:** RE: Totten v. Benedictine

Carter,

Thank you.

I looked at what you produced yesterday and have the following concerns and questions:

1. There is no correspondence reflecting anyone at Benedictine giving Mr. Dixon a copy of the Title IX report concerning Ms. Totten or otherwise advising him of the outcome and any remedial measures. Did you search for these documents?
2. You have produced correspondence reflecting that there was at least one Title IX complaint about Mr. Dixon made to Ms. Conrad in approximately February 2018. You did not produce the Title IX complaint itself, statements made by the complaint, statements made by witnesses, the final Title IX report or any other Title IX documentation. Did you search for these documents?
3. There continue to be no documents reflecting correspondence informing Ms. [REDACTED], Ms. [REDACTED] and Ms. [REDACTED] of their Title IX rights. Did you search for these documents?

Also, please provide an update on the BUPD/campus security department's search for the hand-written statements.

Regards,  
Margaret

Margaret Galka  
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**From:** Carter Frambes <[cframbes@tresslerllp.com](mailto:cframbes@tresslerllp.com)>  
**Sent:** Wednesday, February 1, 2023 5:21 PM  
**To:** Margaret Galka <[mgalka@collinslaw.com](mailto:mgalka@collinslaw.com)>  
**Subject:** Totten v. Benedictine

Margaret,

I have just uploaded new items to the shared folder. These are BU 984-BU 1021. These items are all being designated a confidential and subject to our protective order.

Best regards,  
Carter Frambes

**Carter R. Frambes** | Associate | Tressler LLP

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